

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

KENNY NOLLEY

PLAINTIFF

VS.

CIVIL ACTION NO.: 3:16-CV-122-MPM-JMV

ROBERT C. LITTLEJOHN, et al.

DEFENDANTS

**ORDER STAYING CERTAIN PROCEEDINGS
AND FOR SHOW OF CAUSE**

Local Uniform Civil Rule 16(b)(3)(B) provides that “[f]iling...a jurisdiction defense motion stays the attorney conference and disclosure requirements and all discovery **not related** to the issue pending the court’s ruling on the motion, including any appeal.” L.U. Civ. R. 16(b)(3)(B) (emphasis added). Because a defendant has raised the issue of personal jurisdiction by separate motion [11], staying certain proceedings is appropriate. Moreover, through its own review of the record, the court has determined it is doubtful this court has diversity jurisdiction over the case.¹ The Notice of Removal [1] does not adequately show why the Mississippi citizenship of Defendant Robin Littlejohn should be disregarded for purposes of determining whether complete diversity of citizenship exists between Plaintiff and all defendants.

IT IS, THEREFORE, ORDERED that the aforementioned proceedings and the Case Management Conference are hereby **STAYED** pending further order of the court. Deadlines related to the jurisdiction motion [11] are not affected by this order.

¹ Though Plaintiff has not raised the issue of jurisdiction, the Court must make an independent inquiry into its jurisdiction. *Grupo Dataflux v. Atlas Global Group, L.P.*, 541 U.S. 567, 593 (2004) (Ginsburg, J., dissenting) (citing *Bender v. Willamsport Area Sch. Dist.*, 475 U.S. 534, 541 (1986)) (“[I]t is the obligation of both district court and counsel to be alert to jurisdictional requirements.”).

IT IS FURTHER ORDERED that the Defendants shall, within 14 days of this date, show cause, including citation to legal authority, why this case should not be remanded for lack of diversity jurisdiction.

SO ORDERED this, the 30th day of June, 2016.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE